

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TERRY GACH,

Plaintiff,

vs.

JASON LATVAaho, DAVID SULLIVAN,
CODY MATMGREN, and ZOIE KOUTEK,

Defendants.

8:25CV118

ORDER TO SHOW CAUSE

Federal Rule of Civil Procedure 4(m) provides, “If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” Fed. R. Civ. P. 4(m).

Plaintiff filed the Complaint on February 20, 2025. (Filing No. 1). On May 23, 2025, counsel entered an appearance on behalf of two defendants, Jason Latvaaho and David Sullivan, and waived formal service of process effective as of that date. (Filing No. 8). However, to date, Plaintiff has not filed summons returns for defendants Cody Matmgren or Zoie Koutek. More than 90 days has elapsed since the Complaint was filed, and the record does not demonstrate those defendants have been served, signed waivers of service, or entered a voluntary appearance in this case. Nor has Plaintiffs requested an extension of time to complete service of process. Accordingly,

IT IS ORDERED that Plaintiff shall have until **July 3, 2025**, to show cause why this case should not be dismissed as to Defendants Cody Matmgren and Zoie Koutek pursuant to Federal Rule of Civil Procedure 4(m) or take other appropriate action. The failure to timely comply with this order may result in dismissal of this action as to Defendants Cody Matmgren and Zoie Koutek without further notice.

Dated this 5th day of June, 2025.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge